

REMARKS

I. Introduction

With the cancellation herein without prejudice of claim 71, and the addition of new claims 82 to 84, claims 37 to 70, and 72 to 84 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants note with appreciation the acknowledgment of the claim for foreign priority and the acknowledgment that all certified copies of the priority documents have been received.

II. Rejection of Claims 70 and 74 Under 35 U.S.C. § 102(b)

Claims 70 and 74 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,813,224 (“Rao et al.”). It is respectfully submitted that Rao et al. does not anticipate the present claims for at least the following reasons.

To anticipate a claim, each and every element as set forth in the claim must be found in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of Calif., 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). That is, the prior art must describe the elements arranged as required by the claims. In re Bond, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). In other words, to be anticipatory, a single prior art reference must show all of the limitations of the claims arranged or combined in the same way as recited in the claims. Net Moneyin, Inc. v. Verisign, Inc., 545 F.3d 1359 (Fed. Cir. 2008).

Claim 70 relates to a method for dosing and transporting dry urea from a storage vessel to a processing location, the urea present in the form of pellets, including the features of isolating the pellets with a portioning element having at least one receiving element, each receiving element adapted to receive a single pellet.

Rao et al. does not disclose, or even suggest, all of the claimed features of claim 70. Instead, Rao et al. merely indicates a rotating dispersal wheel 76b or a geared wheel 78. Col. 10, lines 9 to 18; and Figures 7 and 8. It appears

that each of the rotating dispersal wheel 76b and the geared wheel 78 of Rao et al. receives a substantial quantity of powder at any one time. However, nowhere does Rao et al. disclose that its rotating dispersal wheel 76b or geared wheel 78 includes at least one receiving element adapted to receive a **single** pellet. Thus, Rao et al. does not disclose, or even suggest, the features of isolating the pellets with a portioning element having at least one receiving element, each receiving element adapted to receive a **single** pellet.

Accordingly, Rao et al. does not disclose, or even suggest, all of the features included in claim 70. As such, it is respectfully submitted that Rao et al. does not anticipate claim 70.

As for claim 74, which depends from claim 70 and therefore includes all of the features included in claim 70, it is respectfully submitted that Rao et al. does not anticipate this dependent claim for at least the same reasons more fully set forth above.

In view of all the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 71 to 73 and 75 to 81 Under 35 U.S.C. § 103(a)

Claims 71 to 73 and 75 to 81 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Rao et al. and U.S. Patent No. 5,809,775 (“Tarabulski et al.”). It is respectfully submitted that the combination of Rao et al. and Tarabulski et al. does not render unpatentable the presently pending claims for at least the following reasons.

As an initial matter, claim 71 has been canceled herein without prejudice, thereby rendering moot the present rejection with respect to claim 71.

Claims 72, 73, and 75 to 81 ultimately depend from claim 70. As more fully set forth above, Rao et al. does not disclose, or even suggest, all of the features included in claim 70. Tarabulski et al. fails to cure the critical deficiencies of Rao et al. In this regard, Tarabulski et al. merely indicates a prill injector 111 having “the capability of feeding one prill ... or other measured dose at a time.” Col. 8, lines 16 to 19; and Figure 3. Thus, Tarabulski et al. merely indicates adding urea in the form of prills by measured doses into the exhaust gas stream. However, nowhere does Tarabulski et al. disclose the internal construction of its prill injector 111. As a result, Tarabulski et al. does not disclose that its prill injector 111 includes at least one

receiving element adapted to receive a ***single*** pellet. Moreover, any assumptions regarding the internal construction of the prill injector 111 based on Figure 3 of Tarabulski et al. are purely speculation and conjecture, especially since Tarabulski et al. explicitly states that “the size of the prills [in Figure 3] is exaggerated for illustration purposes.” Col. 8, lines 17 to 18. Thus, Tarabulski et al. does not disclose, or even suggest, the features of isolating the pellets with a portioning element having at least one receiving element, each receiving element adapted to receive a ***single*** pellet.

Accordingly, it is respectfully submitted that the combination of Rao et al. and Tarabulski et al. does not disclose, or even suggest, all of the features included in claim 70, from which claims 72, 73, and 75 to 81 ultimately depend. As such, it is respectfully submitted that the combination of Rao et al. and Tarabulski et al. does not render unpatentable claims 72, 73, and 75 to 81, which ultimately depend from claim 70.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. New Claims 82 to 84

New claims 82 to 84 have been added herein. It is respectfully submitted that claims 82 to 84 add no new matter and are fully supported by the present application, including the Specification.

It is respectfully submitted that claims 82 to 84, which depend from claim 70, are patentable over the references relied upon for at least the reasons that the references relied upon do not disclose, or even suggest, all of the features included in claim 70.

V. Allowable Claims 37 to 69

Applicants note with appreciation the allowance of claims 37 to 69.

VI. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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